

UNITED STATES DISTRICT COURT

for the

Southern District of New York

United States of America)

v.)

Dario Euloxio Ruiz)

Case No: 08 Cr. 1284-01 (PGG)USM No: 49032-112Date of Previous Judgment: March 27, 2009

Robert M. Helfend

(Use Date of Last Amended Judgment if Applicable)

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 210 months months **is reduced to** 168 months.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)Previous Offense Level: 35Amended Offense Level: 33Criminal History Category: IIICriminal History Category: IIIPrevious Guideline Range: 210 to 262 monthsAmended Guideline Range: 168 to 210 months**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**

- ☒ The reduced sentence is within the amended guideline range.
☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
☐ Other (explain):

III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated 3/27/2009 shall remain in effect.

IT IS SO ORDERED.Order Date: May 27, 2020


Judge's signature

Effective Date: June 10, 2020
 (if different from order date)

Hon. Paul G. Gardephe, U.S.D.J.
 Printed name and title